

REMARKS

The Office Action of January 29, 2009 has been reviewed and the Examiner's comments carefully considered. Claims 18, 29, 32, and 35 have been amended in accordance with the originally-filed specification. Applicants respectfully submit that no new matter is being added by way of the current Amendment. Accordingly, claims 18-47 are currently pending in this application, and claims 18 and 29 are in independent form.

The Examiner is thanked for considering the amendments and remarks set forth in the previously-filed Amendment of December 24, 2008. In particular, the previous rejections in view of U.S. Patent No. 4,023,503 to Grop, British Patent Application No. 2122960 to Duval, U.S. Patent No. 4,417,524 to Quinn et al., and U.S. Patent No. 3,698,326 to Schurch et al. have been withdrawn. The Examiner conducted a further search and now cites U.S. Patent Nos.: 6,112,917 to Baker et al. (hereinafter "the Baker patent"); and 4,559,027 to Sattel (hereinafter "the Sattel patent").

Initially, claims 18-47 stand rejected under 35 U.S.C., § 112, second paragraph, for indefiniteness. In particular, and with reference to claims 18 and 29, the Examiner indicates that the use of the term "horizontal axes" in connection with the engaging wheels and drive wheel is confusing. Claims 18 and 29 have been amended to specifically refer to "a respective horizontal axis," which addresses the Examiner's rejection in this regard. Further, the Examiner notes that the "load bearing tracks" in claims 32 and 35 lack antecedent basis, which has also been addressed through the above amendments to these claims. Accordingly, withdrawal of the Section 112, second paragraph, rejections of claims 18-47 is respectfully requested.

In the present Office Action, claims 18, 19, 24, 25, 27-39, 43, 44, 46, and 47 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Baker patent in view of the Sattel patent. Claims 20-23 and 40-42 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Baker and Sattel patents, in further view of the previously-cited Grop patent and Duval reference. Finally, claims 25, 26, 44, and 45 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Baker and Sattel patents, in further view of the previously-cited Quinn patent. In view of the foregoing amendments and the following remarks, reconsideration and withdrawal of these rejections are respectfully requested.

Summary of the Preferred Embodiments

Independent claim 18, as amended, is directed to a drive mechanism for an existing body having an outer wall, wherein the body has a plurality of load bearing track engaging wheels that allow the body to move back and forth along a load bearing track. The drive mechanism includes an actuator attached outward of the outer wall of the body that is driven, and a non-load bearing drive wheel attached with respect to the body so that it engages a stationary surface adjacent the body, where the stationary surface being distinct from the load bearing track. The drive wheel and the actuator are located on the same side of said load bearing track and outward of the outer wall of the body, and a drive coupling means is located between the actuator and the drive wheel, wherein actuation of the actuator causes rotation of the drive wheel, which moves said body along said load bearing tracks. The load bearing track engaging wheels and the non-load bearing drive wheel are each rotatably mounted about a respective horizontal axis. The stationary surface extends parallel to and horizontally alongside the load bearing track.

Independent claim 29, as amended, is directed to a drive mechanism for an existing body having an outer wall, wherein the body has a plurality of load bearing track engaging wheels that allow the body to move back and forth along a load bearing track. The drive mechanism includes a non-load bearing drive wheel that is attached outward of the outer wall of the body and with respect to the body so that it frictionally engages a stationary surface adjacent the body, where the surface being distinct from the load bearing track. A drive means rotates the drive wheel to move the body along the load bearing tracks, wherein the drive means and the drive wheel are located on the same side of the load bearing track and outward of the outer wall of the body. The load bearing track engaging wheels and the non-load bearing drive wheel are each rotatably mounted about a respective horizontal axis. The stationary surface extends parallel to and horizontally alongside the load bearing track.

The Cited Prior Art

Both the Grop patent and the Duval application were discussed in detail in the previously-filed Amendment, and this summary and characterization of these references are

incorporated herein by reference. In general, the Grop patent discloses a conveying apparatus for moving a trolley along a raised track, and the Duval application discloses a drive for an overhead suspension assembly. The Examiner has withdrawn both of these references as a primary basis of rejection, instead using the newly-cited Baker patent and Sattel patent.

The Baker patent is directed to a movable file storage supporting apparatus. As best seen in Fig. 3 of this reference, an actuator handle 21 and drive assist mechanism 20 are illustrated. Support wheels 38 of support assembly 22 move along flat track 14, and these wheels 38 are load bearing wheels. A non-load bearing drive wheel 64 (in the form of a drive sprocket) moves along a separate and distinct track. However, the Examiner admits that the drive wheel 64 and actuator 21 are not located on the same side of the load bearing track 14, which is a feature specifically set forth in independent claims 18 and 29 of the present application. Instead, the Examiner refers to the Sattel patent, which is directed to a chain tightener for drive chain. With reference to Figs. 2 and 3 of the Sattel patent, this arrangement includes a spoke or wheel 30 (actuator) and sprocket 20 (non-load bearing wheel) located on the same side of the load bearing track 17.

The Cited Prior Art does not Teach or Suggest the Drive Mechanism of Claims 18 and 29

As an initial note, Applicants represent that one of the primary purposes of the present invention is to avoid the need to mount a shaft within the base of the shelving unit, which results in extra manufacturing costs and design complexity to this unit. In particular, as set forth on page 1 of the originally-filed specification (and with reference to the prior art):

The conventional means of providing a drive to each of the shelves is to connect the track mounted wheels to some form of drive means. This means that an axle extends across the base of each shelf to which the wheels are mounted. The shaft is then connected to some form of independent drive means which may be a manually rotated handle or an electric motor driven through a reduction gear box.

The need to mount a shaft within the base of the shelf unit results in added cost and complexity to the shelving unit. It would be desirable to have a drive mechanism that could be easily fitted [i.e., retrofitted] to shelving units that were [originally] designed to be manually moved. Accordingly, it is an object of the present invention to provide such an arrangement that meets this

objective and overcomes the above mentioned problems.

Accordingly, it is clear that the present invention is specifically designed to serve as a retrofit device for facilitating easier pulley-driven movement to shelving units that were originally designed as a manually-movable unit that are pushed and pulled back and forth along a track.

The Sattel patent is directed to a manually-operated storage apparatus that moves back and forth in guided movement by floor mounted track and which includes a manually operable drive wheel accessible by the user. As clearly illustrated in Fig. 3 of the Sattel patent, the drive wheel and the load bearing wheels are not attached "outward of the outer wall of the body [i.e., the shelving unit]," as specifically set forth in connection with independent claims 18 and 29, as amended. Furthermore, the drive mechanism of the arrangement of the Sattel patent could not effectively be fitted or attached to "an existing body [i.e., shelving unit]," as also specifically set forth in both independent claims 18 and 29.

Again, the primary purpose for the specific positioning and locations of the actuator, the non-load bearing drive wheel, and the drive arrangement outward of the outer wall of the shelving unit (body) is to permit the drive mechanism to be retrofitted to an existing shelving unit, and to assist in the back-and-forth movement. This primary purpose could not be met by the arrangement of the Sattel (or Baker) patent without requiring complex engineering and technical restructuring. This is the case, since the drive mechanism in the arrangements of both the Sattel and Baker patents is specifically designed and configured to integral with the shelving unit itself. Neither of these prior art drive mechanisms could be cost-effectively fitted or attached to (or otherwise integrated with) an existing manually-operable shelving unit, where the actuator, drive wheel, and drive arrangement are positionable outward of the outer wall of an existing shelving unit. Therefore, Applicants assert that the Baker and Sattel patents, even if appropriately combined, fail to teach or suggest the drive mechanism set forth in independent claims 18 and 29, as amended.

Applicants submit that claims 18 and 29, as amended, are allowable for at least the foregoing reasons, as the teachings of the prior art of record, including the Baker patent and the Sattel patent, are not sufficient to overcome the above-noted deficiencies in the teachings of the cited prior art. In particular, and for at least these reasons, independent claims 18 and 29 are


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not anticipated by or rendered obvious over the Baker patent, the Sattel patent or any of the prior art of record, whether used alone or in combination. There is no hint or suggestion in any of the references cited by the Examiner to combine these references in a manner that would render the invention, as claimed, obvious. Applicants respectfully request that the rejection of claims 18 and 29 be withdrawn.

Claims 19-28, 30-32, 36 and 37 are dependent upon and add further limitations to independent claim 18 and are allowable for at least the same reasons discussed above in connection with claim 18. Claims 33-35 and 38-47 are dependent upon and add further limitations to independent claim 29 and are allowable for at least the same reasons discussed above in connection with independent claim 29. Applicants respectfully request that the rejections of these claims be likewise withdrawn.

Based on the foregoing amendments and remarks, reconsideration of the rejections and allowance of pending claims 18-47, as amended, are respectfully requested. To the extent questions remain as to the allowability of the present set of claims, Applicants specifically request an interview with the Examiner to address these questions and move this case towards allowance.

Respectfully submitted,
THE WEBB LAW FIRM

By 
Nathan J. Prepelka
Reg. No. 43,016
Attorney for Applicants
436 Seventh Avenue
700 Koppers Building
Pittsburgh, PA 15219
Telephone: (412) 471-8815
Facsimile: (412) 471-4094
E-mail: webblaw@webblaw.com